BOARD OF ADJUSTMENT Zoning Administration Division

Development Services Department (DSD) 201 North Stone Avenue, Tucson, Arizona 85701

*** NOTICE OF DECISIONS ***

DATE OF PUBLIC HEARING June 24, 2009

THE DECISIONS OF THE BOARD OF ADJUSTMENT MAY BE APPEALED TO THE SUPERIOR COURT OF PIMA COUNTY BY FILING A COMPLAINT FOR SPECIAL ACTION WITHIN THIRTY (30) DAYS AFTER THE BOARD HAS RENDERED ITS DECISION. ARIZONA REVISED STATUTES SECTION 9-462.06 (J)&(K).

CASE NO.

THE APPLICANT

C10-09-09 BARTERS RESIDENCE EXISTING CARPORT/F. AND R. BARTERS, 7022 EAST FLAMENCO PLACE, R-1

The applicants' property is a 9,609 square foot lot developed with a single-family residence and is zoned "R-1", Residential. The applicants are seeking zoning approval to allow the existing attached carport to remain as constructed with reduced building setbacks. Tucson *Land Use Code (LUC)* Sections applicable to this project include, but are not limited to, Section 2.3.4 which provides the criteria for development in the R-1 zone, and Sections 3.2.3, 3.2.5 and 3.2.6 which provide the development criteria for all principal and accessory structures. The applicants are requesting the following variances: 1) Reduce the front street setback of the carport from twenty (20') feet to thirteen (13') feet; 2) Reduce the length of the driveway from eighteen (18') feet to thirteen (13') feet, as shown on the submitted plans; and, 3) Reduce the east side yard setback from six (6') feet to zero (0') feet, as show on the submitted plans.

<u>DECISION</u>: VARIANCES 1, 2, AND 3 GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

- A. Vehicles parked in the area in front of the carport may not block any portion of the sidewalk.
- B. Carport to remain open.

By LUC regulation, a building permit or development approval based upon a Board of Adjustment decision cannot be issued, until a minimum of fourteen (14) days after the Board's decision date.

IMPORTANT NOTICE

FOR VARIANCES OR DESIGN DEVELOPMENT OPTIONS (DDO) GRANTED BY THE ACTIONS OF THIS BOARD: IF A BUILDING PERMIT IS REQUIRED FOR THE PROJECT ASSOCIATED WITH THE VARIANCE OR DDO, IT MUST BE SECURED FROM THE DEVELOPMENT SERVICES DEPARTMENT (DSD) WITHIN 180 DAYS OF THE HEARING DATE.

VARIANCE AND DDO APPROVALS EXPIRE WITHIN 180 CALENDAR DAYS FROM THE DATE OF THIS MEETING. TWO ADDITIONAL (180 DAY) EXTENSIONS MAY BE GRANTED PROVIDED THERE IS GOOD CAUSE AND THE REQUEST IS MADE IN WRITING.

<u>UNLESS OTHERWISE NOTED</u>, BOARD OF ADJUSTMENT DECISIONS BECOME EFFECTUATED UPON OBTAINING BUILDING PERMITS (IF REQUIRED) AND FULL COMPLIANCE WITH ALL CONDITIONS OF THE BOARD' DECISION.

THE 180 DAY TIME FRAME TO OBTAIN A BUILDING PERMIT DOES NOT APPLY WHEN THERE IS AN OUTSTANDING ZONING VIOLATION WHICH PRECIPITATED THE VARIANCE OR DDO REQUEST FOR THE PROPERTY. THE APPLICANT OR PROPERTY OWNER MUST CONTACT THE DEPARTMENT OF NEIGHBORHOOD RESOURCES FOR THE DATE THE ZONING VIOLATION MUST BE ABATED.

If you want further information, please call Russlyn Wells at 837-4948 or Wayne Bogdan at 837-4946.

Sue Montes, Secretary Board of Adjustment

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